

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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TONYA D. PARKS,  
*for* N.T.W.,

Plaintiff,

v.

ANDREW SAUL,  
Commissioner of Social Security,

Defendant.

ORDER

Case No. 18-cv-711-wmc

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*Pro se* plaintiff Tonya D. Parks filed this lawsuit seeking review of the final decision finding that Parks' grandson was not disabled, and thus not entitled to supplemental security income under the Social Security Act. 42 U.S.C. § 405(g). The court set December 13, 2018, as plaintiff's deadline to file her brief in support of her appeal. Parks did not file her brief by that deadline, nor did she contact the court to seek an extension of that deadline. Defendant Andrew Saul, Commissioner of Social Security, has moved to dismiss under Federal Rule of Civil Procedure 41(b) for failure to prosecute. (Dkt. #14.) The court set plaintiff's opposition deadline as February 24, 2020. That deadline, too, has passed, and Parks has not responded or contacted the court seeking an extension of that deadline.

Accordingly, since it is now apparent that Parks has abandoned this lawsuit, the court will grant defendant's motion as unopposed and dismiss this lawsuit with prejudice for failure to prosecute. *James v. McDonald's Corp.*, 417 F.3d 672, 681 (7th Cir. 2005) ("A

district court has the authority under Federal Rule of Civil Procedure 41(b) to enter a sua sponte order of dismissal for lack of prosecution.”)

## ORDER

IT IS ORDERED that:

- 1) Defendant’s motion to dismiss for lack of prosecution (dkt. #14) is GRANTED.
- 2) The clerk of court is directed to enter judgment for defendant Andrew Saul, Commissioner of Social Security, and close this case.

Dated this 2nd day of March, 2020.

BY THE COURT:

/s/

WILLIAM M. CONLEY  
District Judge